

REMARKS

This amendment is submitted in response to the Office Action dated January 2, 2004. Reconsideration and allowance of the claims is requested for the reasons presented below.

ALLOWABLE SUBJECT MATTER

The Applicant thanks the Examiner for his comments regarding the allowability of claims 2, 5, 7-9 and 17-20, if rewritten into independent form to include all of the limitations of the base claims and any intervening claims. However, for the reasons set forth below, the Applicant respectfully submits that claims 1 and 16, from which claims 2, 5, 7-9 and 17-20 depend either directly or indirectly, are patentable over the cited references, and that claims 2, 5, 7-9 and 17-20 are therefore allowable as they stand.

Accordingly, the Applicant respectfully submits that claims 1-20 are in allowable form. Swift passage to issue is therefore earnestly solicited.

OBJECTIONS TO THE SPECIFICATION

The Specification is objected to for informalities. In response, the Applicant has amended the Specification in order to more clearly describe the present invention. In particular:

The paragraph on page 5, which begins, "The present invention provides a solution ..." has been deleted in its entirety. Although the Examiner indicates an objection to repeated text on page 4 of the Specification, the Applicant believes that the text to which the Examiner refers is that text that was deleted on page 5.

The paragraph on page 8, which begins with the phrase, "The pressure generating grooves on the inner surface of the sleeve ...," has been amended to read that the grooves "can easily be seen in Fig. 2."

The paragraph on page 9, which begins with the phrase, "Given this ...," has been amended to delete the phrase "an antifriction medium."

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The paragraph on page 10, which begins with the phrase, "When the position of the slide assembly ...," has been amended to recite, "The position of the slide assembly" In addition, the same paragraph has also been voluntarily amended in order to correct minor typographical errors.

The Abstract has been amended to comprise a single paragraph consisting of less than 150 words.

Thus, the Applicant submits that the Specification is in acceptable form. Accordingly, the Applicant respectfully requests that the objection to the Specification be withdrawn.

OBJECTIONS TO THE DRAWINGS

The Drawings stand objected to as failing to comply with 37 C.F.R. §1.84(p)(5). Specifically, the Examiner alleges that the reference numeral "140", which is mentioned on page 7 of the Specification, is not included in the drawings. The Applicant respectfully directs the Examiner's attention to Figure 1, in which the reference numeral "140" is superimposed over a portion of a disc 135 in order to indicate the surface thereof.

In addition, the Examiner alleges that the reference numeral 202, which appears in Figure 2, is not mentioned in the description. In response, the Applicant has amended the paragraph on page 8 of the Specification, which begins, "Fig. 2 is a vertical sectional view of a hub ...," to clarify that at least one disc 202 is supported for rotation upon an outer surface of the hub 201. The Applicant submits that no new matter has been introduced as a result of this amendment.

Thus, the Applicant submits that the Drawings are in acceptable form. Accordingly, the Applicant respectfully requests that the objection to the Drawings be withdrawn.

OBJECTIONS TO THE CLAIMS

Claims 9 and 13 stand objected to for informalities. In response, the Applicant has amended claims 9 and 13 to more clearly recite aspects of the present invention. In particular:

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Claim 9 has been amended to recite "a high force displacement," replacing "a high force forces displayment."

Claim 13 has been amended to end in a period, replacing the comma that previously ended the claim.

In addition to the amendments made at the suggestion of the Examiner, claims 1 and 20 have also been voluntarily amended in order to correct minor typographical errors.

Thus, the Applicant submits that claims 9 and 13 are in allowable form. Accordingly, the Applicant respectfully requests that the objection to claims 9 and 13 be withdrawn.

B. 35 U.S.C. §103: Claims 1, 3-4, 6 and 10-16

1. Claims 1, 3-4 and 6

Claims 1, 3-4 and 6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 3,637,481, issued January 25, 1972 to *Williams* (hereinafter referred to as "*Williams*") in view of United States Patent No. 6,267,869, issued July 31, 2001 to *MacLeod et al.* (hereinafter referred to as "*MacLeod*"). The Applicant respectfully traverses the rejection.

MacLeod is a § 102(e) reference and was owned or subject to an obligation of assignment to a common entity, Seagate Technology LLC, at the time the invention of the present Application was made. A commonly assigned § 102(e) reference is not a proper basis for an obviousness type rejection. See 35 U.S.C. § 103(c). Accordingly, the Applicant submits that the obviousness type rejection under 35 U.S.C. § 103(a) is improper, and respectfully requests withdrawal of the rejection to claims 1, 3-4 and 6 thereunder.

2. Claims 10-15

Claims 10-15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Williams* in view of *MacLeod*. The Applicant respectfully traverses the rejection.

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As discussed above, *MacLeod* is not a proper basis for an obviousness type rejection. Accordingly, the Applicant submits that the obviousness type rejection under 35 U.S.C. § 103(a) is improper, and respectfully requests withdrawal of the rejection to claims 1, 3-4 and 6 thereunder.

3. Claim 16

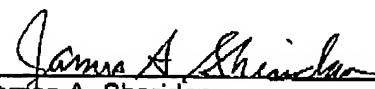
Claim 16 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Williams* in view of *MacLeod*. The Applicant respectfully traverses the rejection.

As discussed above, *MacLeod* is not a proper basis for an obviousness type rejection. Accordingly, the Applicant submits that the obviousness type rejection under 35 U.S.C. § 103(a) is improper, and respectfully requests withdrawal of the rejection to claim 16 thereunder.

CONCLUSION

The Applicant submits that all claims now pending are in condition for allowance. Accordingly, both reconsideration of this application and swift passage to issue are earnestly solicited. If any matters can be handled by telephone, Applicant requests that the Examiner telephone Applicant's attorney at the number below.

Respectfully submitted,



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